

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because it does not state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-28 are rejected under 35 U.S.C. 101 because they fail to produce a concrete result and lack of repeatability. Claims recite the steps of "registering, establishing, assigning", which are mere abstract ideas that does not product concrete results. A concrete result can not be achieved unless the recited steps are repeatable and predictable. The results of these steps will not produce concrete real-world results since there is no evidence that these steps, when repeated, will produce substantially the same result. Because the results produced by this step are not concrete, claims 1-28 are considered to be directed toward non-statutory subject matter.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Macrae (US 2003/0093310).

Regarding to claim 1, Macrae discloses a method of monitoring and managing an organization, the organization having a plurality of goals, a plurality of programs to attain the plurality of goals, a plurality of resources to implement the plurality of programs, said method comprising the steps of:

registering at least one of one of the goals, one of the programs, and one of the resources, the registered one of one of the goals, one of the programs and one of the resources having at least one characteristic [...strategic goals, strategic plan/program, infrastructure/resource; see par. 0019, lines 1-5; par. 0026, lines 3-10; par. 0030, lines 1-7; par. 0036];

establishing a value chain, the value chain having at least one value chain component representing an aspect of the organization, each value chain component having at least one component characteristic [...BMP Life cycle/value chain,

value chain components such as phases, component characteristic such as vision, strategic goals, strategic plans; see par. 0021, lines 1-10 and figure 1];

assigning the registered one of one of the goals, one of the programs, and one of the resources to the least one value chain component [...for instance at least one value chain component such as executive planning phase (100) having strategic goals (220), strategic plan (230)/programs and infrastructure (270)/resource; see par. 0025 and figures 1-2]; and

establishing a value of the at least one component characteristic of the at least one value chain component, the value derived from the characteristic of the registered one of one of the goals, one of the programs, and one of the resources [...component characteristic such as strategic goals, strategic plan, and infrastructure/resources figures 1-3].

Regarding to claim 2, Macrae discloses a method of monitoring and managing an organization, the organization having a plurality of goals and a plurality of programs to attain the plurality of goals, said method comprising the steps of:

registering the plurality of goals, each goal having at least one characteristic [...financial goals having characteristics such as sales growth, revenue growth, profit growth; see par. 0038, lines 1-8];

registering the plurality of programs, each program having at least one characteristic [...strategic plan, organization plan/program having characteristic such as executive summary, business status, strategic goals, program plans and project plans; see par. 0036; par. 0056; par. 0057, lines 6-16; par. 0058 and figures 1, 2 and 5];

associating each program to at least one of the goals [...for instance: strategic plan/program having strategic goals; see par. 0036, lines 1-4; par. 0057, lines 6-9];

establishing a value chain, the value chain having at least one value chain component representing an aspect of the organization, each value chain component having at least one component characteristic [...BMP Life cycle/value chain, value chain components such as phases, component characteristic such as vision, strategic goals, strategic plans; see par. 0021, lines 1-10 and figure 1];

assigning at least one of one of the plurality of goals and one of the plurality of programs to each value chain component [...for instance at least one value chain component such as executive planning phase (100) having strategic goals (220), strategic plan (230)/programs and infrastructure (270)/resource; see par. 0025 and figures 1-2];

establishing a value of the at least one component characteristic of each value chain component, the value derived from the characteristic of the at least one of one of the plurality of goals and one of the plurality of programs assigned to the value chain component [...component characteristic such as strategic goals, strategic plan, and infrastructure/resources figures 1-3].

Regarding to claim 3, Macrae discloses wherein the step of assigning at least one of one of the plurality of goals and one of the plurality of programs to each value chain component includes assigning at least two of the goals to each value chain component [...financial goals and market positioning goals; see par. 0038, lines 1-5];

Regarding to claim 4, Macrae discloses wherein the step of assigning at least one of the one of plurality of goals and one of the plurality of programs to each value chain component includes assigning at least two of the programs to each value chain component [...master program plan and program plans; see par. 0057, lines 1-3; lines 12-14];

Regarding to claim 5, Macrae discloses wherein the step of assigning at least one of one of the plurality of goals and one of the plurality of programs to each value chain component includes assigning at least one of the goals and at least one of the programs to each value chain component [...value chain component such as executive planning phase having strategic goals and strategic plan/program; see par. 0036, lines 1-3; par. 0038, lines 1-5 and figures1- 2].

Regarding to claim 6, Macrae discloses wherein the characteristic of at least one goal includes a goal status, said method further comprising the step of establishing a level of the goal status [see par. 0038, lines 1-6].

Regarding to claim 7, Macrae discloses wherein the characteristic of at least one goal includes a goal value, said method further comprising the step of establishing an amount of the goal value [see par. 0038, lines 1-6].

Regarding to claim 8, Macrae discloses wherein the characteristic of at least one program includes a program status, said method further comprising the step of establishing a level of the program status [see par. 0037; par. 0057, lines 1-6; lines 12-16].

Regarding to claim 9, Macrae discloses wherein the characteristic of at least one program includes a program value, said method further comprising the step of establishing an amount of the program value [see par. 0039, lines 15-19; par. 0049, lines 1-9].

Regarding to claim 10, Macrae discloses wherein the at least one component characteristic includes a component status, the step of establishing a value of the component characteristic including the step of establishing a level of the component status [for instance: business status is one of the component characteristic having the level of component status such as industry and analysts view of business, current development efforts; see par. 0036, lines 1-3; par. 0037, lines 7-11].

Regarding to claim 11, Macrae discloses wherein the at least one component characteristic includes a component value, the step of establishing a value of the component characteristic including the step of establishing an amount of the component value [for instance, marketing plan is a component characteristic having a value of the component characteristic such as pricing and value; see par. 0039, lines 1-2, lines 18-19; par. 0049, lines 3-8].

Regarding to claim 12, Macrae discloses wherein the step of establishing a value of the component characteristic includes assigning the value from input of a user [see par. 0065, lines 1-5]

Regarding to claim 13, Macrae discloses further comprising the step of reporting at least one of the goal characteristics, the program characteristics, and the component characteristics [see par. 0021, lines 9-18; par. 0063, lines 5-6; par. 0083, lines 2-5].

Regarding to claim 14, Macrae discloses a method of monitoring and managing an organization, the organization having a plurality of goals, a plurality of programs to attain the plurality of goals, a plurality of resources to implement the plurality of programs, said method comprising the steps of:

registering the plurality of goals, each goal having at least one characteristic [...financial goals having characteristics such as sales growth, revenue growth, profit growth; see par. 0038, lines 1-8];

registering the plurality of programs, each program having at least one characteristic [...strategic plan, organization plan/program having characteristic such as executive summary, business status, strategic goals, program plans and project plans; see par. 0036; par. 0056; par. 0057, lines 6-16; par. 0058 and figures 1, 2 and 5];

associating each program to at least one of the goals [...for instance: strategic plan/program having strategic goals; see par. 0036, lines 1-4; par. 0057, lines 6-9];

registering the plurality of resources, each resource having at least one characteristic [...infrastructure 270; resource allocation phase 130; see par. 0030, lines 1-9; par. 0065, lines 1-13; figures 1, 2 and 6];

associating at least one resource to each program [...for instance: resource is linked to strategic plan/program; see par. 0068, lines 1-6 and figure 6];

establishing a value chain, the value chain having at least one value chain component representing an aspect of the organization, each value chain component having at least one component characteristic [...BMP Life cycle/value chain, value chain

components such as phases, component characteristic such as vision, strategic goals, strategic plans; see par. 0021, lines 1-10 and figure 1);

assigning at least one of one of the plurality of goals, one of the plurality of programs, and one of the plurality of resources to each value chain component [...for instance at least one value chain component such as executive planning phase (100) having strategic goals (220), strategic plan (230)/programs and infrastructure (270)/resource; see par. 0025 and figures 1-2];

establishing a value of the at least one component characteristic of each value chain component, the value derived from the characteristic of the at least one of one of the plurality of goals, one of the plurality of programs, and one of the plurality of resources assigned to the value chain component [...component characteristic such as strategic goals, strategic plan, and infrastructure/resources figures 1-3].

Regarding to claim 15, Macrae discloses wherein the step of assigning at least one of the plurality of goals, one of the plurality of programs, and one of the plurality of resources to each value chain component includes assigning at least two of the goals to each value chain component [...financial goals and market positioning goals; see par. 0038, lines 1-5].

Regarding to claim 16, Macrae discloses wherein the step of assigning at least one of one of the plurality of goals, one of the plurality of programs, and one of the plurality of resources to each value chain component includes assigning at least two of the programs to each value chain component [...for instance: master program plan and program plans; see par. 0057, lines 5-16].

Regarding to claim 17, Macrae discloses wherein the step of assigning at least one of one of the plurality of goals, one of the plurality of programs, and one of the plurality of resources to each value chain component includes assigning at least two of the resources to each value chain component [see par. 0040, lines 11-18; par. 0065, lines 1-8].

Regarding to claim 18, Macrae discloses wherein the step of assigning at least one of one of the plurality of goals, one of the plurality of programs, and one of the plurality of resources to each value chain component includes assigning at least one of the goals, at least one of the programs, and at least one of the resources to each value chain component [...for instance at least one value chain component such as executive planning phase (100) having strategic goals (220), strategic plan (230)/programs and infrastructure (270)/resource; see par. 0025 and figures 1-2];

Regarding to claim 19, Macrae discloses wherein the characteristic of at least one goal includes a goal status, said method further comprising the step of establishing a level of the goal status [see par. 0038, lines 1-6].

Regarding to claim 20, Macrae discloses wherein the characteristic of at least one goal includes a goal value, said method further comprising the step of establishing an amount of the goal value [see par. 0038, lines 1-6].

Regarding to claim 21, Macrae discloses wherein the characteristic of at least one program includes a program status, said method further comprising the step of establishing a level of the program status [see par. 0037; par. 0057, lines 1-6; lines 12-16].

Regarding to claim 22, Macrae discloses wherein the characteristic of at least one program includes a program value, said method further comprising the step of establishing an amount of the program value [see par. 0039, lines 15-19; par. 0049, lines 1-9].

Regarding to claim 23, Macrae discloses wherein the characteristic of at least one resource includes a resource status, said method further comprising the step of establishing a level of the resource status [see par. 0030, lines 1-9].

Regarding to claim 24, Macrae discloses wherein the characteristic of at least one resource includes a resource value, said method further comprising the step of establishing an amount of the resource value [see par. 0030, lines 1-9; par. 0065, lines 13-16].

Regarding to claim 25, Macrae discloses wherein the at least one component characteristic includes a component status, the step of establishing a value of the component characteristic including the step of establishing a level of the component status [for instance: business status is one of the component characteristic having the level of component status such as industry and analysts view of business, current development efforts; see par. 0036, lines 1-3; par. 0037, lines 7-11].

Regarding to claim 26, Macrae discloses wherein the at least one component characteristic includes a component value, the step of establishing a value of the component characteristic including the step of establishing an amount of the component value [for instance, marketing plan is a component characteristic having a value of the

component characteristic such as pricing and value; see par. 0030, lines 1-2, lines 18-19; par. 0049, lines 3-8].

Regarding to claim 27, Macrae discloses wherein the step of establishing a value of the component characteristic includes assigning the value from input of a user [see par. 0065, lines 1-5].

Regarding to claim 28, Macrae discloses further comprising the step of reporting at least one of the goal characteristics, the program characteristics, the resource characteristics, and the component characteristics [see par. 0021, lines 9-18; par. 0063, lines 5-6; par. 0083, lines 2-5].

Regarding to claim 29, Macrae discloses a computer based system for monitoring and managing an organization, the organization having a plurality of goals, a plurality of programs to attain the plurality of goals, a plurality of resources to implement the plurality of programs, said system comprising:

- a database for storing data related to the organization, including the goals, programs, and resources [...requirements database 460; see par. 0051 and figure 4];

- a controller coupled to the database for receiving input from a user and responsively registering the plurality of goals [see par. 0018], each goal having at least one characteristic [...financial goals having characteristics such as sales growth, revenue growth, profit growth; see par. 0038, lines 1-8],

- registering the plurality of programs, each program having at least one characteristic [...strategic plan, organization plan/program having characteristic such as

executive summary, business status, strategic goals, program plans and project plans; see par. 0036; par. 0056; par. 0057, lines 6-16; par. 0058 and figures 1, 2 and 5],

associating each program to at least one of the goals [...for instance: strategic plan/program having strategic goals; see par. 0036, lines 1-4; par. 0057, lines 6-9],

registering the plurality of resources, associating at least one resource to each program [...infrastructure 270; resource allocation phase 130; see par. 0030, lines 1-9; par. 0065, lines 1-13; figures 1, 2 and 6],

establishing a value chain, the value chain having at least one value chain component representing an aspect of the organization, each value chain component having at least one component characteristic [...BMP Life cycle/value chain, value chain components such as phases, component characteristic such as vision, strategic goals, strategic plans; see par. 0021, lines 1-10 and figure 1],

assigning at least one of one of the plurality of goals, and one of the plurality of programs, and one of the plurality of resources to each value chain component [...for instance at least one value chain component such as executive planning phase (100) having strategic goals (220), strategic plan (230)/programs and infrastructure (270)/resource; see par. 0025 and figures 1-2], and for

establishing a value of the at least one component characteristic of each value chain component, the value derived from the characteristic of the at least one of one of the plurality of goals, the plurality of programs, and the plurality of resources assigned to the value chain component [...component characteristic such as strategic goals, strategic plan, and infrastructure/resources figures 1-3].

Regarding to claim 30, Macrae discloses wherein the controller is operatively connected to a user interface for allowing the user to input data to and receive data from the controller [for example program product is transferred from server to client computer/user interface; see par. 0018].

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
7. The US patents to Schneider discloses a method to help the user determine optimal allocations of controllable resources, and to Petrovic et al disclose system and method of integrating a resource management system with a project management system, and to Bechhofer et al disclose a method of projecting a future condition of a business entity by identifying a plurality of risks and a plurality of opportunities.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy-Vi Nguyen whose telephone number is 571-270-1614. The examiner can normally be reached on Monday through Thursday from 8:30 A.M to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrence Till can be reached on 571-272-1280. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thuy-Vi Nguyen/

Examiner, Art Unit 4175

/Brian D Nash/

Primary Examiner, Art Unit 3721